

REMARKS

Claims 1 through 4 have been cancelled. Claims 5 through 13 were added with a preliminary amendment. Claim 5 is in independent form.

The Information Disclosure Statement was not considered by the Examiner because Applicant failed to comply with 37 C.F.R. 1.98(a)(1). Applicant with no intent to deceive failed to file the form PTO/SB/08a along with the Information Disclosure Statement that was filed with the filing of the patent application. Applicant has already corrected this defect by filing the above-mentioned form along with a Supplemental Information Disclosure Statement on July 3, 2008. Therefore, Applicant respectfully submits that the objection made to the patent application with regard to the Information Disclosure Statement and the fact that it was not considered is hereby moot and that Applicant respectfully requests the Examiner to consider the information found in the form and the Supplemental Information Disclosure Statement, along with the Information Disclosure Statement previously filed.

Claim 5 stands rejected under 35 U.S.C. § 102(b) as being anticipated by United States Patent 6,286,983 (the '983 reference). Applicant respectfully traverses this rejection. The '983 reference discloses an external mirror assembly for an automotive vehicle. The mirror assembly includes a shell and a mirror housed within the shell and visible through an aperture in the shell. The '983 reference discloses a mirror glass 58 housed within the mirror housing with the reflective surface visible through the aperture. The mirror also includes a lighting unit 4 which is disposed adjacent a free space 59 allowing emitted light beams 63 to exit the aperture of the shell. Applicant would like to point out that the luminescent film 5 in the '983 reference is an electroluminescent film used in conjunction with a lighting unit and not a mirror.

Regardless, claim 5, as amended to clarify the elements claimed, claims a vehicular external mirror module. The vehicular external mirror module includes a mirror housing and a mirror glass. Claim 5 includes a heating film which is integrally formed with the luminescent film to heat the mirror glass. The heating film is electrically connected to the luminescent film such that power used by the luminescent film is also used by the heating film.

Amendment

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Serial No: 10/577,278

While the '983 reference discloses a mirror assembly and a luminescent film that is used in conjunction with a lighting unit and not a mirror assembly, neither the lighting assembly nor the mirror assembly disclose the use of heating elements. The '983 reference is specifically void of any discussion regarding heat other than the dissipation of heat that might be required with the generation of light from the light assemblies.

In contradistinction, claim 5, as amended to clarify the claimed elements, claims a luminescent film which is electrically connected to a heating film and formed together such that the heating film and the luminescent film are applied to directly to the mirrored surface of the mirror glass such that the film is disposed between the mirror surface and the front of the mirror housing. None of the references disclosed by the Applicant nor discovered by the Examiner show the combination of having a mirror housing with a piece of mirror glass wherein a luminescent film and a heating film are formed in the same film and electrically connected. Therefore, claim 5, as amended to clarify the limitations set forth therein, overcomes the rejection under 35 U.S.C. § 102(b).

It is respectfully submitted that this patent application is in condition for allowance, which allowance is respectfully solicited. If the Examiner has any questions regarding this amendment or patent application, the Examiner is invited to contact the undersigned.

The Commissioner is hereby authorized to charge any additional fee associated with this Communication to Deposit Account No. 50-1759.

Respectfully submitted,

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